



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,949	01/22/2001	Daniel B. Workman	1958.2009-000	3380

21005 7590 03/25/2004

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

EXAMINER

BASEHOAR, ADAM L

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/766,949

Applicant(s)

WORKMAN ET AL.

Examiner

Adam L Basehoar

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2 and 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Application filed on 01/22/01, the IDS filed on 06/18/01, and the IDS filed on 01/03/03.

2. Claims 1-14 are pending in the case. Claims 1, 11, 13, and 14 are independent claims.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 14 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The currently recited claim discloses of a computer data signal embodied in a carrier wave which is just software alone and of itself which is non-statutory. The examiner suggests that the claim be amended to have the computer data signal embodied on a computer readable medium.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2178

6. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Bergman et al (5,909,678 06/01/99).

-In regard to independent claims 1, 11, and 13-14, Bergman et al teach a method, system, and product for editing a form, wherein;

a user was displayed an interface (Fig. 9: 911) displaying a hyperlink (phrase receptacle) for an element in the form (column 3, lines 17-18) (Fig. 4: 200) indicating to a user that a control is available for the element (column 3, lines 46-49); wherein

upon selection of the hyperlink of the element, the control displayed on the user interface for user interaction (Fig. 3: Selection of element 200 displays control 11 for user interaction); and wherein

upon completion of user interaction with the control, replacing the element with a new element responsive to user (Fig. 2: Select element 210 and Fig 3: Replace element with new element 210 selected from control 11) .

-In regard to dependent claims 2 and 3, Bergman et al teach wherein the form was a database query (column 5, lines 27-36) or spreadsheet (equivalent to a database) (column 5, lines 22-26).

-In regard to dependent claims 4 and 5, Bergman et al teach wherein the element was part of a formula or calculation (column 3, lines 9-10)(column 14, lines 25-30).

Art Unit: 2178

-In regard to dependent claims 6 and 7, Bergman et al teach wherein the control was a list of choices or a pull-down menu (column 8, lines 5-8)(Fig. 3&4).

-In regard to dependent claims 8 and 9, Bergman et al Bergman et al teach wherein the control was a dialog box or text entry field (column 8, lines 6-8).

-In regard to dependent claims 10 and 12, Bergman et al Bergman et al further teach wherein the control was selected from a group of controls consisting of a list (Fig. 3), a dialog box, and a text entry field (column 8, lines 5-8).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US: 5,977,969	11/02/99	DiAngelo
US: 6,216,139	04/10/01	Listou
US: 6,084,585	07/04/00	Kraft et al.
US: 5,897,649	04/27/99	Kennedy

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L Basehoar whose telephone number is (703) 305-7212.

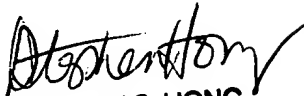
The examiner can normally be reached on M-F: 7:30am - 4:00pm.

Art Unit: 2178

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB


STEPHEN S. HONG
PRIMARY EXAMINER